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12 United States of America

13 UNITED STATES DISTRICT COURT
14 FOR THE CENTRAL DISTRICT OF CALIFORNIA
15 WESTERN DIVISION
16 UNITED STATES OF AMERICA,) NO. SA CV 09-01379-DOC (ANx)
17 Plaintiff,)
18 v.) CONSENT JUDGMENT
19 \$999,790.00 IN U.S. CURRENCY,)
20 Defendant.)
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23 In this action, plaintiff United States of America (the
24 "government") alleges that the defendant \$999,790.00 in U.S.
25 Currency (the "defendant currency") is subject to forfeiture
26 pursuant to 21 U.S.C. § 881(a)(6) on the ground that it constitutes
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1 proceeds traceable to one or more exchanges for a controlled
2 substance or listed chemical in violation of 21 U.S.C. § 841 et seq.
3 Claimant George Rivas ("claimant") disputes the government's
4 allegations.

5 The parties have agreed to settle this forfeiture action and to
6 avoid further litigation by entering into this consent judgment.

7 The Court, having been duly advised of and having considered
8 the matter, and based upon the mutual consent of the parties,
9 HEREBY ORDERS, ADJUDGES, AND DECREES:

10 1. This Court has jurisdiction over this action pursuant
11 to 28 U.S.C. §§ 1345 and 1335.

12 2. The Complaint states claims for relief pursuant to 21
13 U.S.C. § 881(a)(6).

14 3. Notice of this action has been given as required by
15 law. No appearance has been made in this action by any person other
16 than claimant, and the time to file a claim and an answer has
17 expired. The Court deems that all potential claimants other than
18 claimant George Rivas admit the allegations of the Complaint to be
19 true, and hereby enters default against all such potential
20 claimants.

21 4. \$979,790 of the defendant currency and any interest
22 accrued thereon shall be forfeited to the United States of America,
23 which shall disposed of the same according to law.

24 5. The remaining \$20,000 and any interest accrued thereon
25 shall be returned to claimant within 6 weeks of the entry of this
26 Consent Judgment.

1 6. Claimant hereby releases the United States of America,
2 the State of California, all counties, municipalities and cities
3 within the State of California, and their agencies, departments,
4 offices, agents, employees and officers, including, but not limited
5 to, the United States Attorney's Office, the Drug Enforcement
6 Administration, and their employees and agents, from any and all,
7 known or unknown, claims, causes of action, rights, and liabilities,
8 including, without limitation, any claim for attorney's fees, costs,
9 or interest which may be now or later asserted by or on behalf of
10 the claimant, arising out of or related to this action, or the
11 seizure or possession of the defendant currency. Claimant
12 represents and agrees that he has not assigned and is the rightful
13 owner of such claims, causes of action and rights.

14 7. Claimant also agrees to hold harmless and indemnify the
15 United States, the United States Attorney's Office and the Drug
16 Enforcement Administration and their employees from all claims by
17 any third parties to the \$20,000 and any interest accrued thereon
18 being returned to claimant.

19 8. The Court finds that there was reasonable cause for the
20 seizure of the defendant currency and institution of these
21 proceedings. This judgment shall be construed as a certificate of
22 reasonable cause pursuant to 28 U.S.C. § 2465.

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9. The parties shall each bear their own attorney's fees and other costs and expenses of litigation.

DATED: May 7, 2010

David O. Carter

Hon. DAVID O. CARTER
UNITED STATES DISTRICT JUDGE

CONSENT

The parties consent to judgment and waive any right of appeal.

DATED: _____, 2010 ANDRÉ BIROTTE JR.
United States Attorney

CHRISTINE C. EWELL
Assistant United States Attorney
Chief, Criminal Division

STEVEN R. WELK
Assistant United States Attorney
Chief, Asset Forfeiture Section

/s/
PIO S. KIM
Assistant United States Attorney

Attorneys for Plaintiff
United States of America

DATED: _____, 2010

/s/
PAUL GABBERT
Attorney for Claimant
George Rivas